

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

19-cr-59 (PKC)

-against-

ORDER

NIKET JAIN,

Defendant.  
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CASTEL, U.S.D.J.

The Court has reviewed the letters of September 18, 2020 (Doc 135) and September 21, 2020 (Doc 136) and sets the following schedule:

1. Government motions in limine and Rule 404(b) disclosures are due October 13, 2020.<sup>1</sup>
2. Government requests to charge, and voir dire are due October 23, 2020.
3. Additional 3500 material for Individual 1 will be produced by the government by October 23, 2020.
4. Defendant's response to the government's motion in limine and any in limine motions of defendant are due October 27, 2020.
5. Defendant's requests to charge and voir dire and objections to the government's request to charge and voir dire are due November 2, 2020.
6. Government's response to the defendant's motion in limine and reply on its motion in limine are due November 10, 2020.
7. 3500 material for all other witnesses shall be produced by the government by November 13, 2020.
8. Defendant's reply on its motion in limine is due November 20, 2020.

The Court has considered defendant's request to require the government to produce witness and exhibit lists and the Court declines to do so. As United States v Vilar, 530 F. Supp 2d 616 (S.D.N.Y. 2008) makes plain, neither the Constitution nor the Federal Rules require such disclosures, although the Court acknowledges that it has discretion to order them.

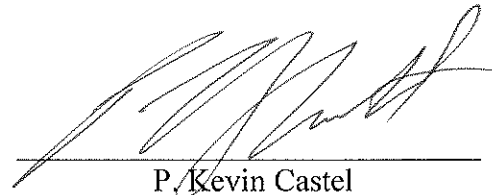
During the pandemic era, the ability to summon jurors, have them come to the courthouse in an appropriate and socially distant manner, and conduct a trial in one of the few specially-outfitted courtrooms is severely limited. Jury selection in this action has been set for November 23, 2020 with testimony to begin on November 30, 2020. I find that the ends of justice will be served by granting a continuance until November 23 and the interests of the public

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<sup>1</sup> October 12, 2020 is a Court holiday.

and the defendant in a speedy trial are substantially outweighed by the need for the continuance. The reasons for my finding are that the time is needed for the parties to comply with the requirements of the schedule in this Order and to accommodate the difficulties of scheduling a trial in the pandemic environment. Accordingly, the time between today and November 23, 2020 is excluded under the Speedy Trial Act.

SO ORDERED.



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P. Kevin Castel  
United States District Judge

Dated: New York, New York  
October 1, 2020